

Jennifer Damico

From: Jennifer Damico
Sent: Friday, May 15, 2020 4:10 PM
To: Sarah Frazier; Patti Romero
Cc: Devlin Scarber; Elizabeth Smith
Subject: RE: Corizon Defendants' Rule 26 Disclosures

Follow Up Flag: Copied to Worldox (Client Docs\210141\00618035.MSG)

Thank you for your disclosures and the Declaration page.

However, I need a copy of your full insurance policy pursuant to Fed. R. Civ. P. 26(a)(1)(a)(iv) – which states that you must provide, without a discovery request, for inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Of course you can redact the premium payments, but I need the entire insurance agreement.

Please let me know when I can expect the full policy.

Thank you,

Jennifer



Jennifer Damico, Attorney at Law

29000 Inkster Road, Suite 150 Southfield, MI 48034

Main (248) 569-4646 • Direct (248) 234-9828 • Direct Fax (248) 281-1886

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From: Sarah Frazier <sfrazier@chapmanlawgroup.com>
Sent: Friday, May 15, 2020 3:51 PM
To: Jennifer Damico <jennifer@buckfirelaw.com>; Patti Romero <patti@buckfirelaw.com>
Cc: Devlin Scarber <dscarber@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>; Sarah Frazier <sfrazier@chapmanlawgroup.com>
Subject: Corizon Defendants' Rule 26 Disclosures

Good Afternoon Ms. Damico,

Attached, please find Corizon Defendants' Rule 26 Initials Disclosures and Insurance Declaration.

Best,

SARAH FRAZIER | Legal Assistant

1441 West Long Lake Rd., Ste. 310, Troy, MI 48098

Phone: (248) 644-6326

Email: sfrazier@chapmanlawgroup.com

Web: www.chapmanlawgroup.com



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Jennifer Damico

From: Jennifer Damico
Sent: Tuesday, May 26, 2020 10:53 AM
To: 'Devlin Scarber'; Ronald Chapman Sr.
Cc: 'Elizabeth Smith'; 'Sarah Frazier'
Subject: RE: Corizon Defendants' Rule 26 Disclosures

Follow Up Flag: Copied to Worldox (Client Docs\210127\00619738.MSG)

Devlin and Ron,

Please advise when I can expect a copy full insurance policy per my May 15, 2020 email below.

Thank you,

Jennifer



Jennifer Damico, Attorney at Law

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Sent: Friday, May 15, 2020 4:10 PM
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Cc: Devlin Scarber <dscarber@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>
Subject: RE: Corizon Defendants' Rule 26 Disclosures

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Of course you can redact the premium payments, but I need the entire insurance agreement.

Please let me know when I can expect the full policy.

Thank you,

Jennifer



BUCKFIRE
— LAW FIRM —

Jennifer Damico, Attorney at Law

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From: Sarah Frazier <sfrazier@chapmanlawgroup.com>

Sent: Friday, May 15, 2020 3:51 PM

To: Jennifer Damico <jennifer@buckfirelaw.com>; Patti Romero <patti@buckfirelaw.com>

Cc: Devlin Scarber <dscarber@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>; Sarah Frazier <sfrazier@chapmanlawgroup.com>

Subject: Corizon Defendants' Rule 26 Disclosures

Good Afternoon Ms. Damico,

Attached, please find Corizon Defendants' Rule 26 Initials Disclosures and Insurance Declaration.

Best,

SARAH FRAZIER | Legal Assistant

1441 West Long Lake Rd., Ste. 310, Troy, MI 48098

Phone: (248) 644-6326

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Jennifer Damico

From: Jennifer Damico
Sent: Thursday, May 28, 2020 11:45 AM
To: Devlin Scarber
Cc: Ronald Chapman Sr.; Elizabeth Smith; Sarah Frazier
Subject: Third Attempt for Supplement to Rule 26 Disclosures

Follow Up Flag: Copied to Worldox (Client Docs\210141\00620371.MSG)

Devlin,

This email in response to two unanswered emails to you (and one with copied to Ron), regarding my request that you supplement the Corizon Defendants' Rule 26 disclosures by providing me with full insurance agreement for Corizon. Please provide the full professional liability *policy*, as well as any general commercial liability insurance policies that, in the event of a judgment, may provide coverage for this incident, by June 4, 2020.

If you will not be producing the full professional liability policy and any general commercial liability policies, please respond to this email so I can take whatever action necessary to procure them

Thank you,

Jennifer



Jennifer Damico, Attorney at Law

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Jennifer Damico

From: Devlin Scarber <dscarber@chapmanlawgroup.com>
Sent: Thursday, May 28, 2020 12:12 PM
To: Jennifer Damico
Cc: Ronald Chapman Sr.; Elizabeth Smith; Sarah Frazier
Subject: RE: Third Attempt for Supplement to Rule 26 Disclosures

Hello Jennifer,

As I recall, as part of our initial disclosures, we provided you with the declarations page reflecting our insurance agreement with Lone Star Alliance (an insurance business) to satisfy all or part of a possible judgment against our client in this action.

In reviewing Rule 26(a)(1)(A)(iv), the court rule that you previously cited, I believe that we have complied with the court rule.

Unless you have any authority that says we must provide more, this is all that we are providing.

Thank you,

DEVLIN K. SCARBER | Attorney

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Health Care Attorneys

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From: Jennifer Damico <jennifer@buckfirelaw.com>
Sent: Thursday, May 28, 2020 11:45 AM
To: Devlin Scarber <dscarber@chapmanlawgroup.com>
Cc: Ronald Chapman Sr. <rchapman@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>; Sarah Frazier <sfrazier@chapmanlawgroup.com>
Subject: Third Attempt for Supplement to Rule 26 Disclosures

Devlin,

This email in response to two unanswered emails to you (and one with copied to Ron), regarding my request that you supplement the Corizon Defendants' Rule 26 disclosures by providing me with full insurance agreement for

From: Jennifer Damico <jennifer@buckfirelaw.com>
Sent: Monday, June 1, 2020 12:22 PM
To: Devlin Scarber <dscarber@chapmanlawgroup.com>
Cc: Ronald Chapman Sr. <rchapman@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>; Sarah Frazier <sfrazier@chapmanlawgroup.com>
Subject: RE: Third Attempt for Supplement to Rule 26 Disclosures

Devlin,

The authority is the rule itself. It requires that Defendant produce "for inspection and copying any insurance agreement . . ." A declaration page is not an insurance agreement.

Also, you have not responded to my inquiry as to whether any other policies exist other than this professional liability policy. If your disclosures are complete, per your prior email, I will interpret that as Defendants' unequivocal response that no other policies exist.

If you are unwilling to produce the insuring agreement for inspection and copying, I will be filing a motion to compel it. Production of the insurance agreement is mandatory. I will outline my position in the motion. A simple search of the rule turns up dozens of cases on point.

Please respond by advising whether Defendants will produce the entire agreement and, if not, I am following the local rule and seeking concurrence in Plaintiff's motion to compel.

Please respond by Wednesday, June 3, 2020.

Sincerely,

Jennifer



BUCKFIRE
— LAW FIRM —

Jennifer Damico, Attorney at Law

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From: Devlin Scarber <dscarber@chapmanlawgroup.com>
Sent: Thursday, May 28, 2020 12:12 PM
To: Jennifer Damico <jennifer@buckfirelaw.com>

From: Jennifer Damico jennifer@buckfirelaw.com
Subject: FW: Supplement to Rule 26 Disclosures (Defense Counsel's Second Email Response)
Date: June 3, 2020 at 1:08 PM
To: Jennifer damico jgd1224@gmail.com

JD



Jennifer Damico, Attorney at Law

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From: Devlin Scarber <dscarber@chapmanlawgroup.com>
Sent: Wednesday, June 3, 2020 12:08 PM
To: Jennifer Damico <jennifer@buckfirelaw.com>
Cc: Ronald Chapman Sr. <rchapman@chapmanlawgroup.com>; Elizabeth Smith <esmith@chapmanlawgroup.com>; Sarah Frazier <sfrazier@chapmanlawgroup.com>
Subject: RE: Supplement to Rule 26 Disclosures (Defense Counsel's Second Email Response)

Hi Jennifer,

The professional liability policy that we have given you is the only policy.

As to the other issue of you wanting more than what we have already provided concerning our liability insurance agreement with Lone Star Alliance, we have already stated our position.

Thank you,

DEVLIN K. SCARBER | Attorney

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